

A bill for an act

relating to elections; requiring a school district primary election in certain jurisdictions; amending Minnesota Statutes 2008, section 205A.03, subdivision 1, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. ~~Resolution requiring primary in certain circumstances~~ Discretion to hold primary; school board action required. Except as provided in subdivision 1a, the school board of a school district may, by resolution adopted by June 1 of any year, decide to choose nominees for school board by a primary as provided in this section. The resolution, when adopted, is effective for all ensuing elections of board members in that school district until it is revoked. If the board decides to choose nominees by primary and if there are more than two candidates for a specified school board position or more than twice as many school board candidates as there are at-large school board positions available, the school district must hold a primary.

Sec. 2. Minnesota Statutes 2008, section 205A.03, is amended by adding a subdivision to read:

Subd. 1a. **Mandatory primary; certain jurisdictions.** (a) This subdivision applies to a school district within a statutory or home rule charter city with a population greater than 100,000, as of the state demographer's most recent population estimate, where one or more members of the school board are elected at-large using the alley system. For purposes of this subdivision, members of a school board are elected at-large using the alley system

2.1 if candidates for at-large office file for a designated seat number within the open at-large
2.2 positions and are listed on the ballot as a candidate only for that designated seat number.

2.3 (b) A primary election must be held to select at-large nominees for school board
2.4 offices that are filled using the alley system if more than two candidates file for any one
2.5 designated seat number to be filled at the general election. Only the designated seat
2.6 numbers for which more than two candidates have filed are subject to the primary election
2.7 required by this subdivision.